

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PAMELA J. BLANCO,

Plaintiff,

-against-

JOHN BROGAN, individually and  
the VILLAGE OF SCARSDALE,  
New York,

Defendants.

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STATE OF NEW YORK     )  
                                  ) ss.:  
COUNTY OF NASSAU     )

07 Civ. 4065

AFFIDAVIT OF  
HOWARD M. MILLER

Howard M. Miller, being duly sworn, deposes and says:

1. I am a member of the firm of Bond, Schoeneck & King, PLLC, attorneys for defendant, Village of Scarsdale. This affidavit is submitted in support of defendants' motion to dismiss the complaint.

2. A copy of the charge of discrimination plaintiff filed with the U.S. Equal Employment Opportunities Commission (Charge No. 520200701320), which is referenced in the Complaint at ¶ 2, is annexed hereto as Exhibit "A."

3. The Complaint references promotions to the positions of Field Training Officer and Traffic Enforcement Officer positions (Complaint at ¶ 5). Copies of the postings and documents submitted to the EEOC regarding the dates of these positions are annexed hereto as Exhibit "B." These documents indicate that the selection process for the Field Training Officer

and Traffic Enforcement Officer promotions concluded in November 2005 and on February 28, 2006, respectively.

\_\_\_\_\_  
s/ Howard M. Miller  
HOWARD M. MILLER

Sworn to before me this  
11th day of July, 2007.

\_\_\_\_\_  
s/Regina L. Olsen  
Notary Public

## CERTIFICATE OF SERVICE

I hereby certify that on July 17, 2007, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Rules on Electronic Service upon the following parties and participants:

Jonathan Lovett, Esq.  
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s/ Howard M. Miller  
Howard M. Miller  
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